

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ORLANDO LEWAYNE PILCHER,

Plaintiff,

v.

ROBERT FENTON,

Defendant.

ORDER

09-cv-46-slc

On April 13, 2009, this court granted plaintiff leave to proceed on his claim that defendant used excessive force against him during his incarceration at the Federal Correctional Institution in Yazoo, Mississippi. On August 5, 2009 defendant filed a motion to dismiss or in the alternative to transfer this case for lack of personal jurisdiction. A briefing schedule was entered on August 6, 2009, requiring plaintiff to file his brief in opposition not later than August 26, 2009. The court received a letter from plaintiff on August 24, 2009 in which he expresses confusion about what he is required to do.

By way of explanation, if plaintiff wishes to oppose the defendant's motion, he must file a brief or written statement. In this brief, he must give his reasons why his case should not be dismissed or in the alternative transferred. Specifically, he must demonstrate that this court has personal jurisdiction over the defendant.

Because plaintiff did not understand that it was his responsibility to submit a brief in opposition to the defendant's motion, I will give him an extension of time to file his opposition brief. Plaintiff may have until September 8, 2009 to respond to defendant's motion as described

above. Defendant may have until September 18, 2009 to file a reply brief.

ORDER

IT IS ORDERED that plaintiff may file his opposition brief to defendant's motion not later than September 8, 2009 and defendant may reply not later than September 18, 2009.

Entered this 19th day of August, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge